

REMARKS

Status of the Claims

After amendment, claims 1, 3-8, 10, 11, 14, 15, 20, and 23-46 are pending. Claims 1, 6-8, 10, 14, 15, and 20 have been amended. Claims 2, 9, 12, 13, and 16-19 have been cancelled.

Amendment of the Specification

The specification has been amended to correct the spelling of the resin "DOWEX" from the typographic al error "DOWER." The background of the invention has been amended to correct typographical errors in citations of publications. Thus, "Syftestad, 1982; Urist *et al.*, 1967; Urist and Strates, 1979; Urist and Strates, 1971; and Urist *et al.*, 1983" has been amended to read "Syftestad and Urist, 1982; Urist *et al.*, 1967; Urist and Strates, 1970; Urist and Strates, 1971; and Urist *et al.*, 1983." No new matter has been added by amendment of the specification.

Amendment of the Claims

Amendments to claims 1 and 20 are at least supported by page 3 at ll. 3-12, page 4 at l. 7-page 5 at l. 3, page 5 at ll. 14-17, page 7 at l. 19-page 8 at l. 2, page 9 at ll. 3-10, page 10 at ll. 2-12, page 13 at l. 23-page 14 at l. 4, page 14 at ll. 16-19, page 15 at ll. 21-23, and page 16 at ll. 19-22. Amendments to claims 6-8 are at least supported by page 5 at ll. 17-18 and page 9 at ll. 3-8. Amendments to claim 10 are at least supported by page 9 at ll. 6-10. Claims 14 and 15 have been amended to depend from independent claim 1. New claims 23 and 37 are at least supported by page 5 at ll. 14-17 and page 9 ll. 16-20. New claims 24-26 are at least supported by page 9 at ll. 6-10. New claims 27, 28, 38, and 39 are at least supported by page 11 at ll. 1-8, and page 14 at l. 22-page 15 at l. 5. New claims 29, 30, 40, and 41 are at least supported by page 4 at l. 7-page 5 at l. 3, and page 10 at ll. 2-12. New claim 31 is at least supported by page 5 at ll. 17-18. New claims 32 and 42 are at least supported by page 9 at ll. 3-10. New claims 33, 34, 43, and 44 are at least supported by page 13 at l. 22-page 14 at l. 4. New claims 35 and 45 are at least supported by page 14 at l. 4. New claims 36 and 46 are at least supported by page 10 at l.

15-page 11 at l. 5, and page 16 at ll. 10-15. No new matter has been added by amendment of the claims.

Rejection of Claims 1-4, 6-11, 13-15, 19 and 20 Under 35 U.S.C. § 102(e) as
anticipated by U.S. Patent No. 6,320,025

Claims 2, 9, 13, and 19 have been cancelled. As to claims 1, 6-8, 10, 14, 15, and 20, U.S. Patent No. 6,320,025 does not teach at least certain elements of the claimed invention. The claimed invention (see independent claim 1 and its dependent claims 6-8, 10, 14, and 15, and independent claim 20) comprises a filter tube assembly that comprises a filter mesh having a mesh size sufficient for a demineralization solution to be removed from a container through the filter tube assembly at a rate of from about 0.25 liters per minute to about 4 liters per minute, and the filter tube assembly is configured to exclude pieces of bone larger than a prescribed size. The '025 patent does not teach these elements. It is also silent as to an apparatus having a container, a vessel cap, a filter tube assembly, and a first tube that comprises a material that remains stable when contacted with the demineralization solution, as in the claimed invention. Applicant respectfully requests that this rejection be withdrawn.

Rejection of Claims 1, 2, 6-10, 13-15, 19 and 20 Under 35 U.S.C. § 102(b) as
anticipated by U.S. Patent No. 4,184,916

Claims 2, 9, 13, and 19 have been cancelled. As to claims 1, 6-8, 10, 14, 15, and 20, U.S. Patent No. 4,184,916 does not teach at least certain elements of the claimed invention. The claimed invention (see independent claims 1 and 20) comprises a filter tube assembly, as described above, and the '916 patent does not teach such a filter tube assembly. It is also silent as to an apparatus having a container, a vessel cap, a filter tube assembly, and a first tube that comprises a material that remains stable when contacted with the demineralization solution, as in the claimed invention. Applicant respectfully requests that this rejection be withdrawn.

Rejection of Claims 1, 3, 4, 9, 10 and 13-15 Under 35 U.S.C. § 102(b) as
anticipated by U.S. Patent No. 5,578,455

Claims 9 and 13 have been cancelled. As to independent claim 1 and its dependent claims 3, 4, 10, 14, and 15, U.S. Patent No. 5,578,455 does not teach at least the filter tube assembly of the claimed invention, described above. It is also silent as to an apparatus having a container, a vessel cap, a filter tube assembly, and a first tube that comprises a material that remains stable when contacted with the demineralization solution, as in the claimed invention. Applicant respectfully requests that this rejection be withdrawn.

Rejection of Claims 1, 2, 9, 10, 13-15 and 19 Under 35 U.S.C. § 102(b) as
anticipated by U.S. Patent No. 4,649,118

Claims 2, 9, 13, 19 have been cancelled. As to independent claim 1 and its dependent claims 10, 14, and 15, U.S. Patent No. 4,649,118 does not teach at least certain elements of the claimed invention. The '118 patent does not teach the filter tube assembly of the claimed invention, described above. It is also silent as to an apparatus having a container, a vessel cap, a filter tube assembly, and a first tube that comprises a material that remains stable when contacted with the demineralization solution, as in the claimed invention. Applicant respectfully requests that this rejection be withdrawn.

Rejection of Claims 3-5 Under 35 U.S.C. § 103(a) as Unpatentable Over
U.S. Patent No. 4,649,118 in view of U.S. Patent No. 5,080,868

As discussed above, the '118 patent does not teach at least certain elements of the claimed invention (see independent claim 1 from which claims 3-5 depend). U.S. Patent No. 5,080,868 does not teach the filter tube assembly of the claimed invention, as described above. The patent '868 patent is also silent as to an apparatus having a container, a vessel cap, a filter tube assembly, and a first tube that comprises a material that remains stable when contacted with the demineralization solution, as in the claimed invention. Thus, taken alone or together the '118

and '868 patents do not teach every element of the claimed invention. Applicant respectfully requests that this rejection be withdrawn.

Conclusion

The application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated to efficiently advance the prosecution of this application.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response; please charge any deficiency in fees or credit any overpayments to Deposit Account No. 50-0310 (067949-5010-US03).

Respectfully submitted,

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